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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/022,979	02/12/1998	MITSUO NIIDA	35.C12549	6329
5514	7590	01/26/2004	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			JONES, PRENELL P	
			ART UNIT	PAPER NUMBER
			2667	28

DATE MAILED: 01/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/022,979

Applicant(s)  
Niida et al

Examiner  
Prenell Jones

Art Unit  
2667



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Feb 12, 1998.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 28, 32-35, 42, and 46-57 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 28, 32-35, 42, and 46-57 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some\* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other:

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*Claim Rejections - 35 U.S.C. § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary.

Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 28, 33, 34, 42, 46, 49, 50 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagao in view of Tompkins et al.

Regarding claims 28, 33, 34, 42, 46, 49, 50, 52, Nagao discloses (Abstract, Figs. 1-3, 6, 7, 10, 14, 15, col. 4, line 5 thru col. 10, line 64) a video conference system which communicate between apparatuses wherein the architecture includes communicating images, first/second interface associated with different communication standards, control unit, video camera, (col. 2, line 23-44) rejecting communication when a device/communication line is disconnected, control unit controls connecting/disconnecting terminals with respect to communication setup. Nagao is silent on setting the mode/state of the interface. In analogous

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art, (Abstract, Fig. 1, 3, 4a, 6, 7, 8-11, 16, 17, 26, 27, col. 5, line 24 thru col. 11, line 67, col. 20, line 14 thru col. 30, line 49) Tompkins discloses a video conference network wherein the architecture includes a switching network that operate in various operating modes, network controller/switch that determines available communication interconnection with video terminals, first/second interface, multiple communication standards (RS-232, RS-422) camera, (col. 62, line 37-67) controller determines all data flow, and (col. 53, line 38 thru col. 62, line 68) network master and mix master wherein both are interfaced to multiple nodes/devices, interfaces controlled by controller, locking/activating modes associated with the interfaced network master and mix master, detection of device disconnection warrants the mix master to take over communication, thereby becoming the master network and the initial master network is powered down, wherein communication with this interfaced master network is halted. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to implement setting the activation state of an interface as well as an interfaced device as taught by Tompkins with the teachings of Nagao who also discloses a video conference apparatus and its' associated terminals for the purpose of managing communication between conference participants (communication apparatuses) on a priority bases.

3. Claims 32, 35, 47, 48, 51 and 53-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagao in view of Tompkins et al as applied to claims 28, 33, 34, 42, 46, 49, 50 and 52 above, and further in view of Hwang.

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Regarding claims 32, 35, 47, 48, 51 and 53-57, as indicated above, Nagao discloses (Abstract, Figs. 1-3, 6, 7, 10, 14, 15, col. 4, line 5 thru col. 10, line 64) a video conference system which communicate between apparatuses wherein the architecture includes communicating images, first/second interface associated with different communication standards, control unit, video camera, (col. 2, line 23-44) rejecting communication when a device/communication line is disconnected, control unit controls connecting/disconnecting terminals with respect to communication setup, and Tompkins (Abstract, Fig. 1, 3, 4a, 6, 7, 8-11, 16, 17, 26, 27, col. 5, line 24 thru col. 11, line 67, col. 20, line 14 thru col. 30, line 49) discloses a video conference network wherein the architecture includes a switching network that operate in various operating modes, network controller/switch that determines available communication interconnection with video terminals, first/second interface, multiple communication standards (RS-232, RS-422) camera, (col. 62, line 37-67) controller determines all data flow, and (col. 53, line 38 thru col. 62, line 68) network master and mix master wherein both are interfaced to multiple nodes/devices, interfaces controlled by controller, locking/activating modes associated with the interfaced network master and mix master, detection of device disconnection warrants the mix master to take over communication, thereby becoming the master network and the initial master network is powered down, wherein communication with this interfaced master network is halted. Both Nagao and Tompkins are silent on an imaging apparatus which includes interfaced standards IEEE 1394 and RS232C or RS422 or USB. In analogous art, Hwang discloses (Abstract, Fig. 11, col. 5, line 39 thru col. 13, line 16, col. 14, line 19 thru col. 21, line 67) an interactive television system communicating with multiple users, video on demand, video images, a first/second interface, IEEE 1394 standard, RS422/RS232 standard protocols associated with an image interactive TV (ITV) panel, USB

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standard. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention be motivated to implement using IEEE 1394 along with an RS232C or RS422 or USB for the purpose of communicating coherently in a multimedia system and associated multiple users.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prenell Jones whose telephone number is (703) 305-0630. The examiner can normally be reached on Monday thru Friday from 9:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham, can be reached on (703) 305-4378. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Prenell Jones

January 21, 2004



CHI PHAM  
SUPERVISORY PATENT EXAMINER  
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1/21/04